

Hearing Officer Transmittal Checklist

Hearing Date

02/18/2014

Agenda Item No.

3

Project Number: R2013-01727-(5)

Case(s):

Conditional Use Permit No. 201300088

Environmental Assessment No. 201300149

Planner:

Jay Lee

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Supplemental Materials

Reviewed By:





Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2013-01727-(5)

HEARING DATE

February 18, 2014

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201300088

Environmental Assessment No. 201300149

PROJECT SUMMARY

OWNER / APPLICANT

Yellow Funding Corp / Sprint-Nextel

MAP/EXHIBIT DATE

August 19, 2013

PROJECT OVERVIEW

The applicant, Sprint-Nextel, is requesting a conditional use permit (CUP) to authorize the continued operation and maintenance of an existing unmanned wireless telecommunication facility (WTF) located at 24880 Woolsey Canyon Road and in the adjacent public right-of-way (ROW) in the Chatsworth Zoned District of unincorporated Los Angeles County. The existing WTF consists of two panel antennas (25" x 5" x 4") and a small Global Positioning System (GPS) antenna mounted on a 72" support arm 26'-0" above grade on an existing 39-foot utility pole, which is located on private property.

The two existing equipment cabinets are mounted on a concrete pad located in an already disturbed area within the public ROW approximately 18'-0" to the northeast of the pole.

The existing WTF was previously established through CUP No. 02-226.

LOCATION

24880 Woolsey Canyon Road Canoga Park, CA 91304

ACCESS

Woolsey Canyon Road

ASSESSORS PARCEL NUMBER(S)

2017-007-003

SITE AREA

19.9 Acres

GENERAL PLAN / LOCAL PLAN

Los Angeles County General Plan

ZONED DISTRICT

Chatsworth

LAND USE DESIGNATION

R (Non-Urban)

ZONE

A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

None

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.24.110 (A-1 Zone Development Standards)
 - 22.56.215 (SEA Requirements)

CASE PLANNER:

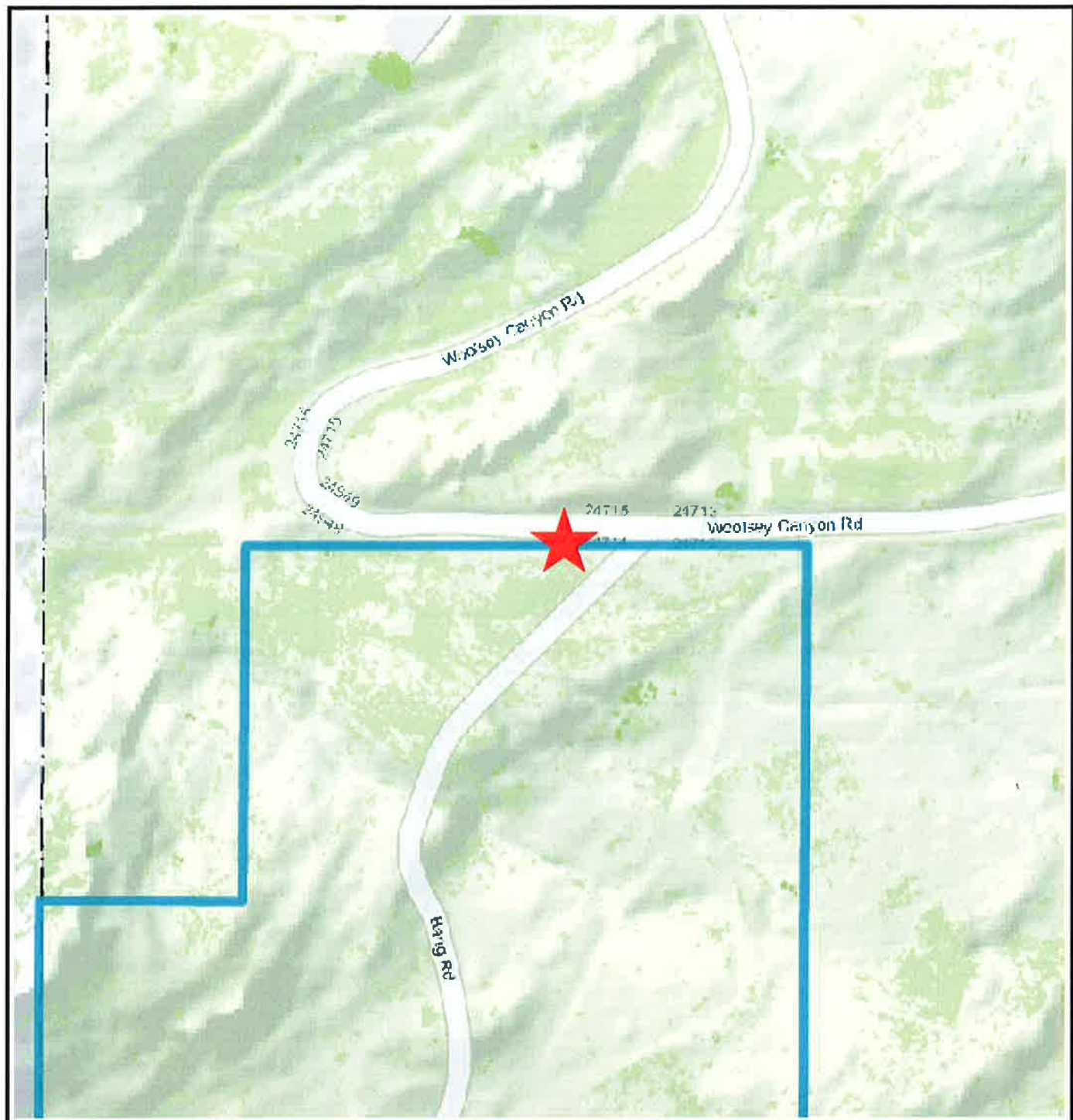
Jay Lee

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Department of Regional Planning

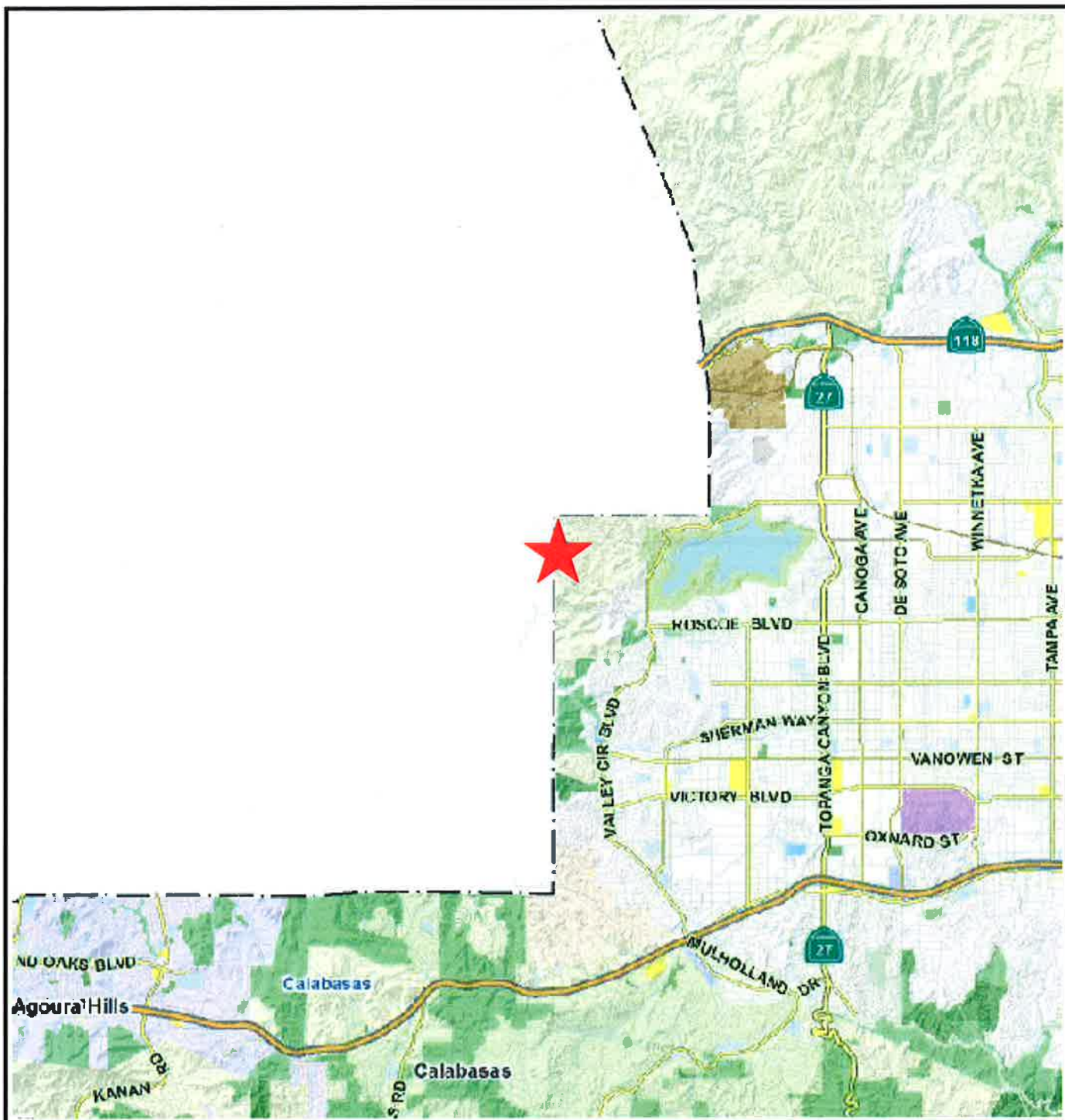
Printed: Sep 11, 2013



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Feet

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ENTITLEMENTS REQUESTED

- Conditional Use Permit ("CUP") for the continued operation and maintenance of an existing unmanned Wireless Telecommunication Facility ("WTF") in the A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area) Zone pursuant to Los Angeles County ("County") Code Section 22.24.100.

PROJECT DESCRIPTION

The applicant, Sprint-Nextel, is requesting a CUP to authorize the continued operation and maintenance of an existing unmanned WTF located at 24880 Woolsey Canyon Road and in the adjacent public right-of-way (ROW) in the Chatsworth Zoned District of unincorporated Los Angeles County. The existing WTF consists of two panel antennas (25" x 5" x 4") and a small Global Positioning System (GPS) antenna mounted on a 72" support arm 26' above grade on an existing 39' utility pole, which is located on private property. The two existing equipment cabinets are mounted on a concrete pad located in an already disturbed area within the public right-of-way (ROW) approximately 18' to the northeast of the pole. The existing WTF was previously established through CUP No. 02-226.

EXISTING ZONING

The subject property is zoned A-1-2 in the Chatsworth Zoned District (APN 2017-007-003).

Surrounding properties are zoned as follows:

North: A-1-2

South: A-1-2

East: A-1-2

West: N/A (outside the County's jurisdiction)

EXISTING LAND USES

The subject property is developed with a WTF and appurtenant equipment.

Surrounding properties are developed as follows:

North: Single-family residences

South: Vacant land, irrigated farmland, and single-family residences

East: Vacant land, irrigated farmland, and single-family residences

West: Vacant land

PREVIOUS CASES/ZONING HISTORY

Conditional Use Permit No. 88-072 – Authorized the construction, operation, and maintenance of an unmanned WTF consisting of two panel antennas (25" x 5" x 4") and a small Global Positioning (GPS) antennas mounted on an existing 39' utility pole and two supporting equipment cabinets mounted on a concrete pad on the ground.

Zone Case No. 6531 – Established the A-1-2 Zone for the for the subject property (Ordinance No. 10,879 adopted April 9, 1974).

ENVIRONMENTAL DETERMINATION

County Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Class 1 Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The CUP is only for the continued operation and maintenance of an existing unmanned WTF and no changes are proposed. Although the WTF is located within an area mapped or adopted by the County as an ecologically sensitive area, it was previously reviewed by the Significant Ecological Areas Technical Advisory Committee (SEATAC) prior to the approval of CUP No. 88-072. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the R (Non-Urban) land use category of the County General Plan. This designation is intended for low-intensity and low-density land uses. The proposed WTF is compatible with such uses because of its passive character and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Public Services Policy 58: "Maintain high quality emergency response services."*
The continued operation of the WTF will provide cellular service to this neighborhood and such service is often used to make emergency calls. This facility will ensure that such service is readily available.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.24.110 of the County Code, establishments in the A-1-2 Zone are subject to the following development standards:

- Front, side and rear yards shall be provided as required in Zone R-1.
The project meets the required setbacks and is consistent with all the applicable development standards.
- Single-family residential uses shall be subject to all development standards applying to Zone R-1, except as otherwise specified in this Title 22.
The request is for the continued operation and maintenance of an existing unmanned WTF and not associated with a single-family residence.
- Premises in Zone A-1 shall provide the required area as specified in Part 2 of Chapter 22.52.
The subject property is zoned A-1-2 and the size of the lot is 19.9 acres, which meets the required area for development.

Site Visit

Staff conducted a site visit on August 22, 2013. Staff observed the subject property and surrounding areas and noted the absence of sensitive land uses nearby. Staff observed

that the existing unmanned WTF is in compliance with the CUP No. 88-072 Exhibit "A" and conditions. Staff also observed that the utility pole design is appropriate for the area.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.090 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

The proposed use is in the R land use category of the County General Plan. The R land use category is intended for low-intensity and low-density land uses. The proposed WTF is consistent with the land use designation because WTFs provide a necessary service to the surrounding area and the project will not introduce an intensive use to the area. The WTF's design further ensures that impacts to aesthetics resources are minimized.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

The proposed use is of low intensity and functions without creating nuisances to other uses. The WTF is located in an area that is vacant and without sensitive uses that could be negatively impacted. Furthermore, its design as a utility pole allows it to better blend in with the surroundings.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The subject site is approximately 19.9 acres and easily accommodates all the required development standards.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed WTF is accessible from Woolsey Canyon Road, a publicly dedicated road 50' in width at the location of the WTF. All roads in the area are adequate to accommodate the anticipated traffic from the project's construction and operation. All necessary public and private services are proximate to the site.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required.

Neighborhood Impact/Land Use Compatibility

The proposed use is consistent with the adopted general plan for the area as it is in the R land use category of the County General Plan. The R land use category is intended for low-intensity and low-density land uses. The proposed WTF is consistent with the land use designation because WTFs provide a necessary service, and the project will not introduce an intensive use to the area. The project also does not impede the compliance of any development standard in the A-1 zone. All required setbacks are met with the project.

Furthermore, the project's location and physical appearance results in a use that is compatible with the area. There are no single-family residences immediately adjacent to the project and the surrounding properties are largely vacant. The project will mainly be visible to commuters only. Additionally, the design features of the project ensure that impacts to aesthetics resources are minimized. The antennas were installed on an existing utility pole. Staff determined that the utility pole design is the most appropriate design for the project because the subject utility pole is located along a row of utility poles on Woolsey Canyon Road. The antennas and supporting equipment cabinets were also painted in the earth tone colors of the surrounding area so that the WTF would better blend into the surroundings. The supporting equipment cabinets are also relatively small in size and located in an already disturbed area within the public ROW.

Additionally, the project site is adequately sized to accommodate construction and maintenance vehicles for the WTF, as such the project will not overburden the area with traffic, nor will other public or private services be impacted by the project. The project is well served by all applicable and necessary infrastructure, including roads, electricity, and telephone service. The existing WTF, which is to remain as is, has been operating since 2003 and there are currently no violations on the property.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

Staff has not received any comments at this time.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2013-01727-(5), Conditional Use Permit Number 201300088, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201300088 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jay Lee, Regional Planning Assistant II, Zoning Permits North Section
Reviewed by Paul McCarthy, Supervising Regional Planner, Zoning Permits North Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Site Photographs, Photo Simulations, Aerial Image
Site Plan, Land Use Map

PM:JL
2/18/14

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2013-01727-(5)
CONDITIONAL USE PERMIT NO. 201300088**

1. **ENTITLEMENT REQUESTED.** The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to authorize the continued operation and maintenance of an unmanned wireless telecommunication facility (WTF) in the A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area) Zone pursuant to Los Angeles County ("County") Code Section 22.24.100.
2. **HEARING DATE.** February 18, 2014
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** *[To be inserted after the public hearing to reflect hearing proceedings.]*
4. **PROJECT DESCRIPTION.** The project is a request for a CUP to authorize the continued operation and maintenance of an existing unmanned WTF located at 24880 Woolsey Canyon Road and in the adjacent public right-of-way (ROW) in the Chatsworth Zoned District of unincorporated Los Angeles County. The existing WTF consists of two panel antennas (25" x 5" x 4") and a small Global Positioning System (GPS) antenna mounted on a 72" support arm 26' above grade on an existing 39' utility pole, which is located on private property. The two existing equipment cabinets are mounted on a concrete pad located in an already disturbed area within the public right-of-way (ROW) approximately 18' to the northeast of the pole. The existing WTF was previously established through CUP No. 02-226.
5. **LOCATION.** The project is located at 24880 Woolsey Canyon Road (APN 2017-007-003) and in the adjacent public right-of-way (ROW) in the unincorporated community of West Chatsworth within the Chatsworth Zoned District.
6. **EXISTING ZONING.** The subject property is zoned A-1-2 in the Chatsworth Zoned District.

Surrounding properties are zoned as follows:

North: A-1-2

South: A-1-2

East: A-1-2

West: N/A (outside the County's jurisdiction)

7. **EXISTING LAND USES.** The subject property is developed with a WTF and appurtenant equipment.

Surrounding properties are developed as follows:

North: Single-family residences

South: Vacant land, irrigated farmland, and single-family residences

East: Vacant land, irrigated farmland, and single-family residences

West: Vacant land

8. **PREVIOUS CASES/ZONING HISTORY.** The relevant case and zoning history for the project is as follows:

Conditional Use Permit No. 88-072 – Authorized the construction, operation, and maintenance of an unmanned WTF consisting of two panel antennas (25" x 5" x 4") and a small Global Positioning (GPS) antennas mounted on an existing 39' utility pole and two supporting equipment cabinets mounted on a concrete pad on the ground.

Zone Case No. 6531 – Established the A-1-2 Zone for the for the subject property (Ordinance No. 10,879 adopted April 9, 1974).

9. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The project site is located within the R (Non-Urban) land use category of the County General Plan. This designation is intended for low-intensity and low-density land uses. The proposed WTF is compatible with such uses because of its passive character and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Public Services Policy 58: "Maintain high quality emergency response services."*

The continued operation of the WTF will provide cellular service to this neighborhood and such service is often used to make emergency calls. This facility will ensure that such service is readily available.

10. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.**
Pursuant to Section 22.24.110 of the County Code, establishments in the A-1-2 Zone are subject to the following development standards:

- Front, side and rear yards shall be provided as required in Zone R-1.
The project meets the required setbacks and is consistent with all the applicable development standards.
- Single-family residential uses shall be subject to all development standards applying to Zone R-1, except as otherwise specified in this Title 22.
The request is for the continued operation and maintenance of an existing unmanned WTF and not associated with a single-family residence.
- Premises in Zone A-1 shall provide the required area as specified in Part 2 of Chapter 22.52.
The subject property is zoned A-1-2 and the size of the lot is 19.9 acres, which meets the required area for development.

11. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The proposed use is consistent with the adopted general plan for the area as it is in the R land use category of the County General Plan. The R land use category is intended for low-

intensity and low-density land uses. The proposed WTF is consistent with the land use designation because WTFs provide a necessary service, and the project will not introduce an intensive use to the area. The project also does not impede the compliance of any development standard in the A-1 zone. All required setbacks are met with the project.

Furthermore, the project's location and physical appearance results in a use that is compatible with the area. There are no single-family residences immediately adjacent to the project and the surrounding properties are largely vacant. The project will mainly be visible to commuters only. Additionally, the design features of the project ensure that impacts to aesthetics resources are minimized. The antennas were installed on an existing utility pole. Staff determined that the utility pole design is the most appropriate design for the project because the subject utility pole is located along a row of utility poles on Woolsey Canyon Road. The antennas and supporting equipment cabinets were also painted in the earth tone colors of the surrounding area so that the WTF would better blend into the surroundings. The supporting equipment cabinets are also relatively small in size and located in an already disturbed area within the public ROW.

Additionally, the project site is adequately sized to accommodate construction and maintenance vehicles for the WTF, as such the project will not overburden the area with traffic, nor will other public or private services be impacted by the project. The project is well served by all applicable and necessary infrastructure, including roads, electricity, and telephone service. The existing WTF, which is to remain as is, has been operating since 2003 and there are currently no violations on the property.

12. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** Staff has not received any comments at this time.
13. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** Staff has not received any comments at this time.
14. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
15. **PUBLIC COMMENTS.** No comments have been received at this time.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

16. The proposed use is in the R land use category of the County General Plan. The R land use category is intended for low-intensity and low-density land uses. The proposed WTF is consistent with the land use designation because WTFs provide a necessary service to the surrounding area and the project will not introduce an

intensive use to the area. The WTF's design further ensures that impacts to aesthetics resources are minimized.

Therefore, the proposed use will be consistent with the adopted general plan for the area.

17. The proposed use is of low intensity and functions without creating nuisances to other uses. The WTF is located in an area that is vacant and without sensitive uses that could be negatively impacted. Furthermore, its design as a utility pole allows it to better blend in with the surroundings.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

18. The subject site is approximately 19.9 acres and easily accommodates all the required development standards.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

19. The proposed WTF is accessible from Woolsey Canyon Road, a publicly dedicated road 50' in width at the location of the WTF. All roads in the area are adequate to accommodate the anticipated traffic from the project's construction and operation. All necessary public and private services are proximate to the site.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

ENVIRONMENTAL DETERMINATION

20. The Class 1 Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The CUP is only for the continued operation and maintenance of an existing unmanned WTF and no changes are proposed. Although the WTF is located within an area mapped or adopted by the County as an ecologically sensitive area, it was previously reviewed by the Significant Ecological Areas Technical Advisory Committee (SEATAC) prior to the approval of CUP No. 88-072.

Therefore, the project qualifies as a Categorical Exemption (Class 1 – Existing Facilities) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

21. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to fifteen (15) years.
22. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer/Director determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201300088 is Approved subject to the attached conditions.

ACTION DATE: February 18, 2014

PM:JL
2/18/14

c: Pat Hachiya, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2013-01727-(5)
CONDITIONAL USE PERMIT NO. 201300088**

PROJECT DESCRIPTION

The project is a request to authorize the continued operation and maintenance of an existing unmanned Wireless Telecommunication Facility ("WTF") with two panel antennas and a small Global Positioning System (GPS) antenna mounted on a 39-foot utility pole, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 18, 2029.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty- (30-) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the WTF and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with

the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **four (4) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (WIRELESS TELECOMMUNICATION FACILITY)

19. This grant shall authorize the continued operation and maintenance of an unmanned WTF mounted on a 39-foot utility pole.
20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
21. Upon completion of construction of the facility, the permittee shall submit to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
22. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
23. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.

24. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.
25. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole-mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
26. If the subject property is adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
27. Placement and height of all pole-mounted equipment shall be in substantial conformance with that shown on the approved Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
28. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
29. The maximum height of the facility shall not exceed 39 feet above finished grade.
30. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
31. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
32. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
33. Upon request, the permittee/operator shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.

34. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
35. New equipment added to the facility shall not compromise the stealth design of the facility.
36. Appurtenant equipment boxes shall be screened or camouflaged.
37. Ventilation enclosures for the project site shall be mounted to the ground surface with no projection above ground.
38. This grant entitles the permittee to install the wireless telecommunications facilities on the existing or a replacement utility pole but does not entitle the permittee to retain the pole for its sole use or to install a new pole for its facilities in the event the existing pole is removed, such as to accommodate the undergrounding of utilities. Notwithstanding the provision of Condition No. 8, if the existing pole is removed prior to the termination date of this grant, this grant shall thereupon terminate. The permittee will be required to either obtain a new conditional use permit to relocate its facilities or to install a new pole or poles and continue the use at the present location. Application for a conditional use permit at such time shall be subject to the regulations then in effect.
39. Upon termination of this grant or after the construction of this facility, the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six (6) months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility. Failure to remove such facility as required herein shall constitute a public nuisance and be subject to appropriate enforcement actions by the Zoning Enforcement Section of Regional Planning and any other government agency. In the event the facility is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the facility to be removed at the permittee's expense.
40. The facilities shall be on flat rate power. No additional meter boxes contained outside existing facilities as shown in approved Exhibit "A," are authorized by these grants.
41. The placement of the facility shall not interfere with the public's unobstructed use of highways, sidewalks or trails, or unobstructed access from private property to highways and other public access.
42. If Public Works requires the facility to relocate due to street improvement projects and undergrounding of utilities, the cost of relocation of wireless facilities due to such projects shall be fully borne by the owner or permittee of the wireless facilities involved.

43. If street parking is prohibited on the street where the facility is located and on nearby side streets, the permittee shall obtain an approved traffic plan for the parking of maintenance vehicles from Public Works.
44. Maintain standard Americans with Disabilities Act clearances around all above ground wireless telecommunication equipment including poles within the public right of way to the satisfaction of Public Works, where applicable.

Sprint Nextel (LA54XC410)
24880 Woolsey Canyon Road
CUP Renewal Request

Conditional Use Permit- Burden of Proof

A. *That the requested use at the location will not:*

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The use is an existing approved microcell wireless communication facility (WTF) mounted to a utility pole located in the Public Right-of-Way (ROW). The subject site provides service to the areas along and surrounding the hilly topography of Woolsey Canyon. These hilly roads and surrounding areas have many bends and turns as well as topographical challenges that make this area difficult to serve with traditional wireless communication facilities. The existing WTF is installed on a wooden utility pole within the public ROW. The facility is small in size and blends in with the utility equipment and has very little visual impact on the area. The antennas are attached to cross arms on the utility pole with a small microcell mounted on the pole and a ground mounted equipment cabinets. The footprint of the facility is very small resulting in minimal if any visual impact and there are no sensitive receptors in the vicinity (residential). Therefore the WTF is not detrimental to the surrounding area or residents of the area. The existing microcell facility has been installed and operational for 10 years in compliance with the existing conditions of approval and therefore without incident or adverse affects on health peace comfort or welfare of persons residing or working on the surrounding area. In fact, by providing communication service coverage to a remote topographically hilly area that may not otherwise have wireless service provides a greater level of safety resulting in a beneficial effect on the overall health peace and welfare of persons in the area. Providing personal, business and emergency wireless communications service minimizes outside dangers thus resulting in a benefit to the public health, safety and general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The use is an existing approved microcell wireless communication facility mounted to a utility pole located in the Public Right-of-Way. The facility is unmanned and does not generate additional traffic or require parking or loading facilities. The existing microcell facility has been

installed and operational for 10 years without incident or adverse affects on health peace comfort or welfare of persons residing or working in the surrounding area. The project meets all required zoning development standards and is compliant with all Conditions of Approval of the existing approved Conditional Use Permit (CUP). Parking for occasional visits for maintenance can be provided in the shoulder area of Woolsey Canyon Road which is wide enough to provide temporary parking for maintenance vehicles. Granting the CUP renewal request will allow Sprint to continue to provide the level of communication services the local community has come to expect as it facilitates personal, business and emergency communication. The subject site is in the public ROW is adequate in size and shape to accommodate the use, and is integrated with the uses in the surrounding area.

C. That the proposed site is adequately served: 1. by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2. by other public or private service facilities as are required.

The use is an existing approved microcell wireless communication facility mounted to a utility pole located in the Public Right-of-Way. The subject site is an existing (Sprint) microcell sites that provides wireless service to the areas along and surrounding Woolsey Canyon. These topographically hilly roads and surrounding areas have many bends and turns as well as topographical challenges that make this area difficult to serve with traditional wireless communication facilities. The existing WTF is located along Woolsey Canyon Road and has adequate access. The WTF does not generate an increase in traffic or require public services such as water, sewer or waste management. The facility is serviced by telephone and electrical service and is adequately served by the existing road and utility infrastructure.















310 COMMENCE
IRVINE, CA 92602

BEMIS DEVELOPMENT, INC.

280 E. CAMINO REAL, SUITE 218
OFFICE (714) 730-0888
FAX (714) 730-0842

PLANS PREPARED BY:



REVISIONS

NO.	DATE	REVISION	BY
1	04/03/13	CDP REVISION	SM
2	04/11/13	CLIENT REVISION	MT
3	07/23/13	PLAN CHECK COMMENTS	JH
4	08/14/13	CLIENT REVISION	SM
5	12/18/13	STATUS MAP REVISIONS	SM

NOT FOR CONSTRUCTION UNLESS
LABELED AS CONSTRUCTION SET

REVISIONS

SITE INFORMATION

LA54XC410A
WOOLSEY CANYON RD.

2480 WOOLSEY CANYON RD.
CANOGA PARK, CA 91304
LOS ANGELES COUNTY

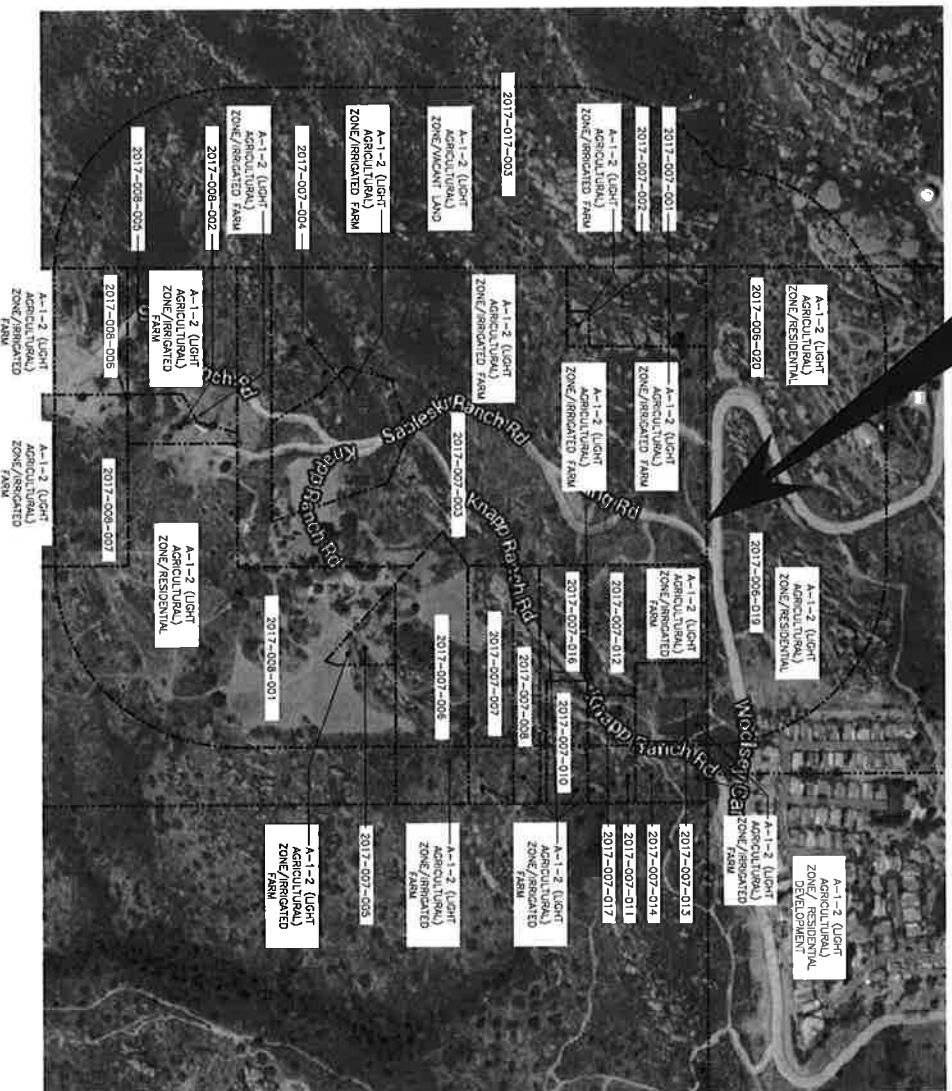
SHEET TITLE

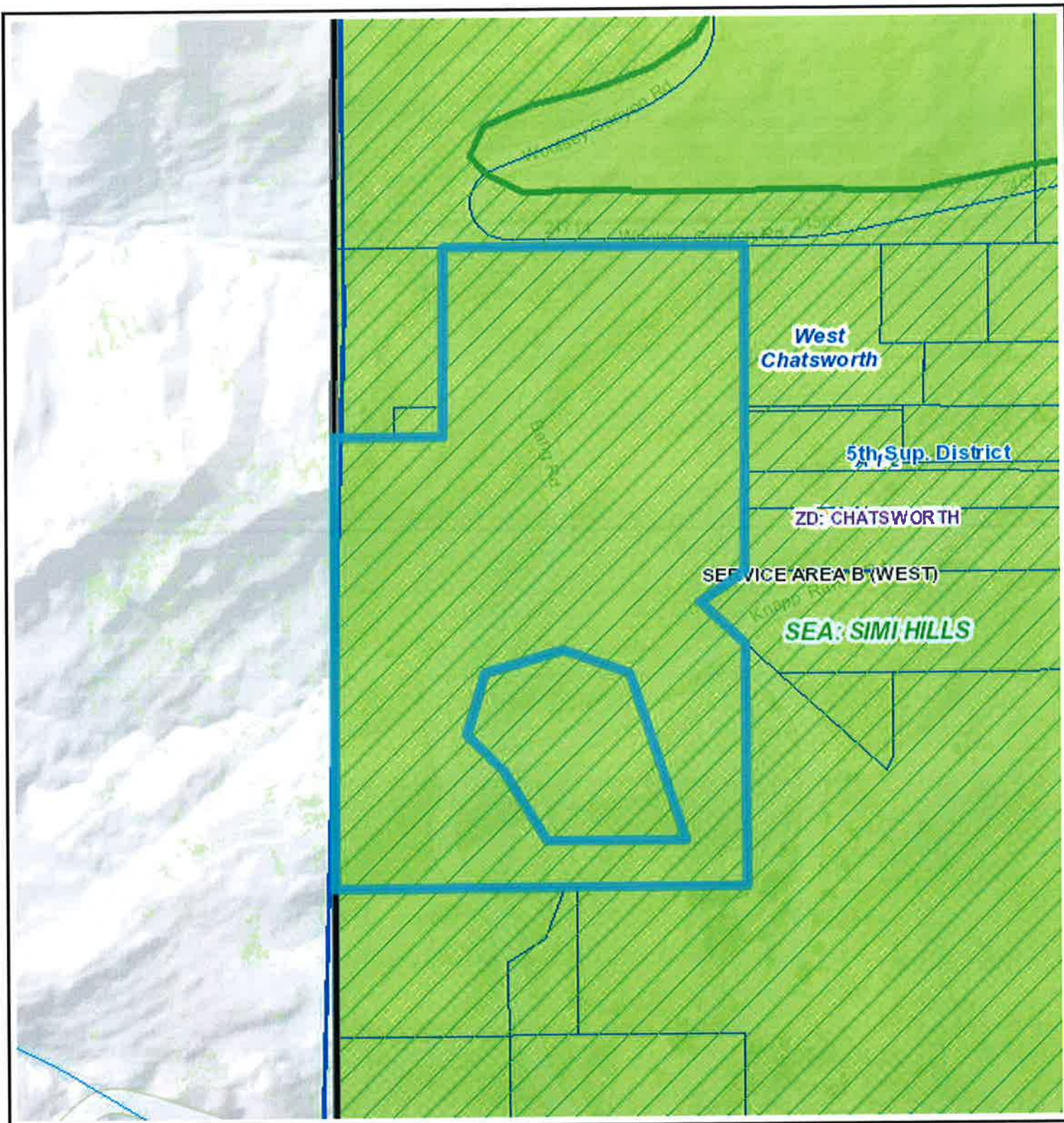
500' RADIUS MAP

SHEET NUMBER

T-2

500' RADIUS MAP





Department of Regional Planning Zoning Map

Printed: Jan 29, 2014



0 500
Feet

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DALLAS, TEXAS 75243-1000
PHONE (972) 716-8800 | FAX (972) 716-8807

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	04/26/13	CD REVIEW	SM
2	04/11/13	CLIENT REVISION	MT
Δ	07/23/13	PLAN CHECK COMMENTS	TC
*	08/09/13	CLIENT REVISION	ON
Δ	12/18/13	MOUSE LAW REVISIONS	DR

NOT FOR CONSTRUCTION
USED FOR CONSTRUCTION SET

DATE:

SITE INFORMATION:

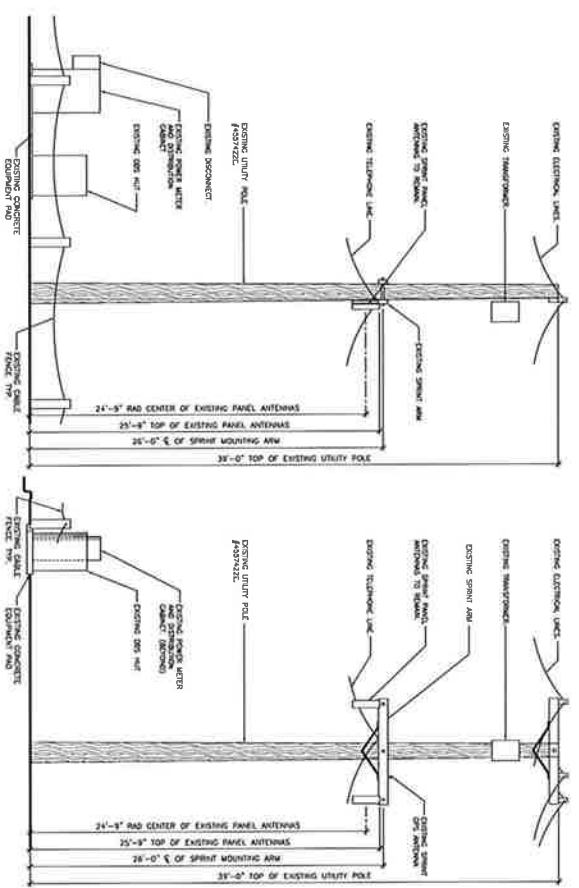
LA54XC410A
WOOLSEY CANYON RD.
24800 WOOLSEY CANYON RD.
CANAAN PARK, CA 91304
LOS ANGELES COUNTY

SHEET TITLE:

EQUIPMENT PLAN, ANTENNA
PLAN & POLE ELEVATIONS

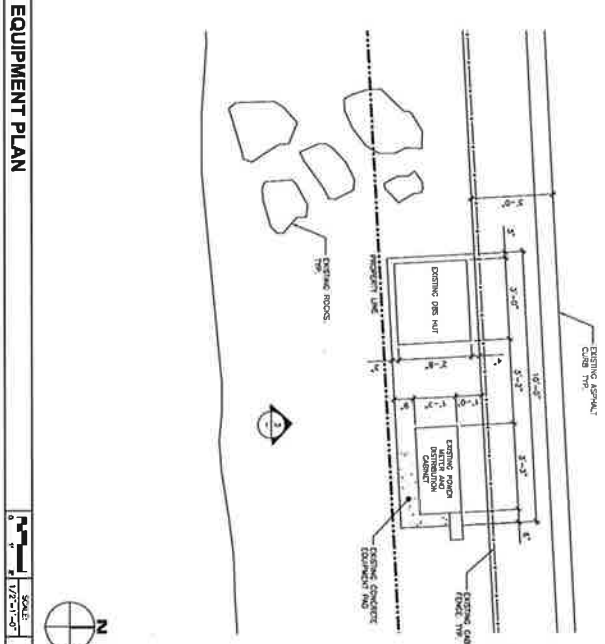
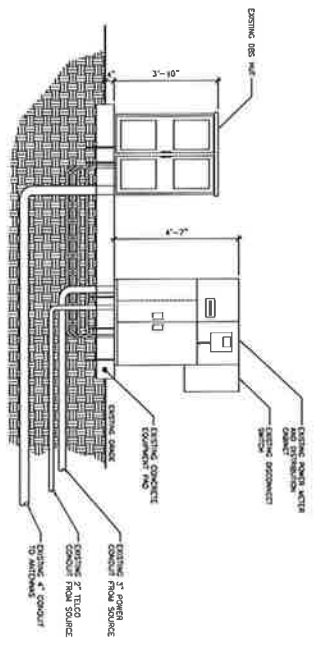
SHEET NUMBER:

A-2



A NORTH ELEVATION

B WEST ELEVATION



EQUIPMENT PLAN

EQUIPMENT ELEVATIONS

SCALE: 1/8"=1'-0"

1

ANTENNA PLAN

SCALE: 1/8"=1'-0"

2

ANTENNA PLAN

4

18. Supplemental Information for a Wireless Telecommunication Facility (WTF)

For WTF development guidelines, refer to Ord. Policy No. 01-2010

<http://planning.lacounty.gov/interpretations>

- a. Coverage analysis to demonstrate that the proposed facility is necessary to close a significant gap in service area coverage.***

The use is an existing approved microcell wireless communication facility mounted to a utility pole located in the Public Right-of-Way. The subject site is one of a series existing (Sprint) microcell sites that provide service to the areas along and surrounding Woolsey Canyon Road. These winding roads and surrounding areas have many bends and turns and as well as topographical challenges that make this area difficult to serve with traditional wireless communication facilities. Utilizing microcell facilities allow the wireless service providers an opportunity to provide contiguous service coverage to an area that would otherwise be without service. The existing microcell facility has been installed and operational for 10 years in compliance with the existing conditions of approval and therefore without incident or adverse affects on health peace comfort or welfare of persons residing or working on the surrounding area. The applicant respectfully requests the County approve the subject CUP application renewal so that the applicant may continue to provide service coverage to this geographical area.

- b. Two copies of existing and proposed coverage maps.***

The use is an existing approved microcell wireless communication facility mounted to a utility pole located in the Public Right-of-Way. The subject site is one of a series of existing (Sprint) microcell sites that provide service to the areas along and surrounding Woolsey Canyon Road. These winding roads and surrounding areas have many bends and turns as well as topographical challenges that make this area difficult to serve with traditional wireless communication facilities. Utilizing microcell facilities allow the wireless service providers an opportunity to provide contiguous service coverage to an area that would otherwise be without service. The existing microcell facility has been installed and operational for 10 years in compliance with the existing conditions of approval and therefore without incident or adverse affects on health peace comfort or welfare of persons residing or working on the surrounding area. This application request is for the extension of the existing Conditional Use Permit (CUP) for the ongoing maintenance and operation of the wireless communication facility. When the initial application for the facility was submitted, copies of the existing and proposed service coverage maps were provide to the jurisdiction. That information was used to depict and demonstrate the gap in service coverage thus depicting the need for additional facilities in the area. Because the use has been established and operational for the past 10 years, the renewal

request should demonstrate the need for this facility location. However, should staff feel differently and would like a copy of the existing coverage maps demonstrating the service coverage from the existing facility, the applicant is happy to provide those upon request. The applicant respectfully requests the County approve the subject CUP application renewal so that the applicant may continue to provide service coverage to this geographical area.

- C. Site analysis that includes: ☐ Co-location feasibility on existing facilities located within ¼ mile of proposed project site. ☐ Non-co-location sites considered and why they were not selected. ☐ Description of why the proposed project site is the least visually intrusive site considered.***

Alternative sites locations including feasible co-location opportunities were examined extensively prior to the initial CUP approval process. All appropriate and feasible alternatives including collocation opportunities were thoroughly examined through the original CUP approval process. Considering the winding roads and topographical challenges make this area difficult to serve with traditional wireless communication facilities. Utilizing microcell facilities allow the wireless service providers an opportunity to provide contiguous and continuous uninterrupted service coverage to an area that would otherwise be without service. The findings for approval determined that the subject microcell facilities were placed in the best and least visually obtrusive site locations considered. It should be noted, in most instances with right-of-way sites, utility poles are typically only able to accommodate a single wireless carrier's equipment. There are no other alternative site co- locations that will offer and provide the same or comparable service coverage as the existing site facility locations requested under this renewal application. The existing microcell facility has been installed and operational for 10 years in compliance with the existing conditions of approval and therefore without incident or adverse affects on health peace comfort or welfare of persons residing or working on the surrounding area. The applicant respectfully request the existing CUP be renewed to allow the continued wireless commutations service provided by these microcell site locations.

- c. Two (2) copies of a map that depicts alternative site locations, including existing facility sites considered for co-location and proposed project site location.***

Alternative sites locations were examined extensively prior to the initial CUP approval process. Further, the existing approved CUP has conditions of approval which require the operator to cooperate with subsequent service providers in offering collocation opportunities. However, in most instances with right-of-way sites, utility poles are typically only able to accommodate a single wireless carrier's equipment. There are no other alternative site locations that will offer and provide the same or comparable service coverage as the existing site facility locations. The

applicant respectfully request the existing CUP be renewed to allow the continued wireless communications service provided by these microcell site locations.

- d. Design analysis that includes: ☐ Describe how the proposed facility is designed to minimize the visual impact to the surrounding area. ☐ Alternative designs that were considered and why they were deemed infeasible.***

The use is an existing approved microcell wireless communication facility mounted to a utility pole located in the Public Right-of-Way. The small size panel antennas are mounted to cross arms towards the top of the utility pole. The associated ground equipment cabinets are installed adjacent to the base of the pole. The pole mounted equipment is hardly discernible from other equipment (wires, cross arms, street lights, etc.) associated with the utility pole alone. The footprint of the facility is very small resulting in minimal, if any visual impact. The existing microcell facility has been installed and operational for 10 years in compliance with the existing conditions of approval and therefore without incident or adverse affects on health peace comfort or welfare of persons residing or working on the surrounding area.

- e. Color photo simulations of "before" and "after." Three (3) 11 in. x 17 in., one (1) 8.5 in. x 11 in.***

The use is an existing approved microcell wireless communication facility mounted to a utility pole located in the Public Right-of-Way. Color photos of the existing installation are provided for reference.

- f. Provide name and contact information of WTF carrier, if different from the applicant.***

Sprint- Nextel
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Ericsson Contractor for Sprint Nextel
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